

EXHIBIT 3



February 8, 2023

Via FedEx and Email

Daniel Cameron
Attorney General
Commonwealth of Kentucky
Capital Building, Suite 118
Frankfort, Kentucky 40601

(Additional Recipients Below)

Dear Mr. Cameron et al.,

Yelp writes in response to your February 7, 2023 letter and to clear up any misconceptions you may have when it comes to Yelp providing relevant and reliable information to consumers who search for reproductive health or pregnancy-related services on its platform. In short, Yelp's mission focuses on connecting members of the public with the businesses that they seek to find, and Yelp's categorization of businesses, including Crisis Pregnancy Centers, and associated notification, reflect that mission.

Yelp's recategorization and notification relating to Crisis Pregnancy Centers arose from some Centers' reported attempts to mislead consumers about the services that they offer, and to avoid potential deception on the part of certain providers, not from any supposed Congressional pressure. Specifically, Yelp learned several years ago that some Crisis Pregnancy Centers were misleading consumers seeking abortion care; for example, by gaming keywords on other platforms to appear first in results for user-initiated searches like "Where can I get an abortion?", diverting those users seeking abortion services away from the facilities that actually offered abortion services.¹

According to leading research, most of those efforts to mislead the public began well before the Supreme Court's recent decision to overturn *Roe v. Wade* and *Planned Parenthood v. Casey*. For example, a 2014 study found that, out of a sample of 253 websites referring to Crisis Pregnancy Centers, 208 (80%) of the websites provided at least one false or misleading piece of

¹ "How Google Maps Leads Women Seeking Abortions Astray," *Gizmodo Media Group* (February 12, 2018), available at <https://gizmodo.com/how-google-maps-leads-women-seeking-abortions-astray-1822882758>; "UGA researcher launches web-based directory to improve crisis pregnancy center transparency," *University of Georgia College of Public Health* (September 10, 2018), available at <https://publichealth.uga.edu/uga-launches-web-based-directory-to-improve-crisis-pregnancy-center-transparency/>.

information.² Similarly, a 2018 study undertaken by researchers at the University of Georgia and Emory University found that 58% of the Georgia pregnancy resource center websites did not provide notice to website visitors that the centers do not provide abortions or refer patients to facilities that offer abortions.³

Since 2018, thousands of Yelp business pages have been evaluated and where appropriate businesses have been categorized as Crisis Pregnancy Centers, which applies to businesses that offer pregnancy-related services but not abortion services or referrals to abortion providers.⁴ Yelp's Crisis Pregnancy Center notification, which it implemented in August 2022, is another way Yelp helps connect members of the public with the actual healthcare services that they seek: while some people come to Yelp to find businesses that offer pregnancy resources, there are others who turn to Yelp to find reliable information about abortion providers.⁵

Together, the categorization and notification relating to Crisis Pregnancy Centers appropriately inform people looking for information they can trust when they search for healthcare and pregnancy-related services on Yelp. The data that you cite in your letter from the Charlotte Lozier Institute⁶ underscores this point. Its 2019 survey of 2,700 Crisis Pregnancy Centers shows that fully 75% of their paid staff and 88% of their volunteers are not licensed medical professionals. None of the surveyed Crisis Pregnancy Centers offer abortions or referrals to abortion providers, and neither do any of the Kentucky-specific examples that you identify in your letter. Accordingly, the notification that “businesses in those categories typically provide

² Bryant AG, Narasimhan S, Bryant-Comstock K, Levi EE. “Crisis pregnancy center websites: Information, misinformation and disinformation,” *Contraception* (December 2014), available at <https://pubmed.ncbi.nlm.nih.gov/25091391/>.

³ Swartzendruber A, Newton-Levinson A, Feuchs AE, Phillips AL, Hickey J, Steiner RJ. “Sexual and Reproductive Health Services and Related Health Information on Pregnancy Resource Center Websites: A Statewide Content Analysis,” *Women’s Health Issues* (Jan-Feb 2018), available at <https://pubmed.ncbi.nlm.nih.gov/29158038/>.

⁴ “Yelp Fixed Its Anti-Choice Clinic Problem. Why Can’t Google Do the Same?” *Rewire News Group* (October 1, 2019), available at <https://rewirenewsgroup.com/2019/10/01/yelp-fixed-its-anti-choice-clinic-problem-why-cant-google-do-the-same/>.

⁵ Your letter mistakenly suggests that Yelp merely “announced” the notification “late last year.” To be clear, they have been a feature of the Yelp platform for nearly six months as of the date of this letter.

⁶ The Charlotte Lozier Institute describes itself as “advis[ing] and lead[ing] the pro-life movement with groundbreaking scientific, statistical, and medical research.” <https://lozierinstitute.org/about/>.

limited medical services and may not have licensed medical professionals onsite” is accurate and not misleading.

By the same token, Yelp users who initiate searches on the platform for pregnancy resources or services, or even specifically for Crisis Pregnancy Centers, have no difficulty reaching pages for Crisis Pregnancy Centers, thanks in part to the specific category that exists for those businesses. Yelp has taken no action to remove Crisis Pregnancy Center business pages from Yelp, and consumers have the ability to provide reviews, ratings and other contributions to the Centers’ business pages, just as they would other businesses listed on Yelp. Any claim that Yelp users interested in Crisis Pregnancy Centers are being “diverted” from those businesses due to Yelp’s recategorization efforts or “discriminated against” due to the notification is not credible.

Nevertheless, Yelp has seriously considered your concerns, and while Yelp maintains that its notification is not misleading, in a good faith effort to address your concerns, Yelp is taking this opportunity to update its notification. As shown below and effective today, the notice states that “Crisis Pregnancy Centers do not offer abortions or referrals to abortion providers.”:



Consumer Notice

This is a Crisis Pregnancy Center. Crisis Pregnancy Centers do not offer abortions or referrals to abortion providers.

We trust that the information contained in this letter clears up any misconceptions that you may have had about users’ ability to find information about reproductive health or pregnancy-related services on Yelp based on searches that they initiate, and that the update to the description of Crisis Pregnancy Centers resolves your concerns.

Sincerely,

Aaron Schur
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cc: Jeremy Stoppelman

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